IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

C.R.No. 6131 of 2006
Date of decision : 20.11.2006.

Pitamber Dayal & Ors.

.....Petitioners.

Versus

Kuldeep Singh.

.....Respondent.

CORAM : HON'BLE MR. JUSTICE VINOD K. SHARMA

Present : Mr. Gorakh Nath,Advocate
for the petitioners.

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VINOD K. SHARMA,J.(ORAL)

Present revision petition has been filed against the order dated 7.8.2006 passed by the learned Addl. Civil Judge (Sr.Divn.), Faridabad striking out the defence of the petitioners for not filing the written statement within 90 days.

Impugned order cannot be sustained in view of the judgmentof the Hon'ble Supreme Court in case ***Shaikh Salim Abdul Khayamsab Vs. Kumar and others (2006-1) PLR 284*** . Accordingly, this revision is allowed. The impugned order is set aside. The petitioners are granted one last opportunity to file the written statement on 13.1.2007, the date fixed in the case before the trial Court. However, this shall be subject to payment of Rs. 5000/- as costs.

20.11.2006 **(VINOD K. SHARMA)**
'sp' **JUDGE**